

AMENDED IN SENATE JULY 12, 2001

AMENDED IN SENATE JULY 5, 2001

AMENDED IN ASSEMBLY MAY 14, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 492**

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**Introduced by Assembly Member Oropeza**

**(Coauthors: Assembly Members Aroner, Calderon, Cardenas, Chan, Chavez, Diaz, Firebaugh, Frommer, Goldberg, Negrete McLeod, Pavley, Salinas, Steinberg, Washington, and Wesson)**

**(Coauthors: Senators Karnette and Murray)**

February 21, 2001

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An act to add Section 19844.7 to the Government Code, relating to state employees.

### LEGISLATIVE COUNSEL'S DIGEST

AB 492, as amended, Oropeza. State employees: precinct board members.

Existing law permits a voter, including a public employee, to take no more than 2 hours off from work for voting, without loss of pay, if a voter does not have sufficient time outside of working hours to vote at a statewide election. Existing law does not permit a state employee to take time off from work, without loss of pay, to serve as a member of a precinct board.

This bill would provide that pursuant to regulations adopted by the Department of Personnel Administration, and subject to the collective bargaining agreement between the state and the employee's exclusive

representative, a state employee, *as defined*, who has been appointed as a member of a precinct board and takes time off from state employment to serve as a member of that precinct board on election day shall receive payment of his or her regular wages or salary for that election day, without forfeiting any compensation received for his or her service as a precinct board member. The eligibility of a state employee to receive time off for these purposes would be subject to the approval of the employee's manager or supervisor and pursuant to the terms of the collective bargaining agreement. The bill would require the department to adopt regulations to implement these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 19844.7 is added to the Government  
2 Code, to read:

3 19844.7. (a) Pursuant to regulations adopted by the  
4 Department of Personnel Administration, and subject to the  
5 collective bargaining agreement between the state and the  
6 employee's exclusive representative, a state employee who has  
7 been appointed as a member of a precinct board and takes time off  
8 from state employment to serve as a member of that precinct board  
9 on election day shall receive payment of his or her regular wages  
10 or salary for that election day, without forfeiting any compensation  
11 received for his or her service as a precinct board member. *As used*  
12 *in this section, "state employee" does not include any officer or*  
13 *employee appointed or employed by the Legislature, or any officer,*  
14 *deputy, or employee selected or appointed by an elected state*  
15 *officer.*

16 (b) The eligibility of a state employee to receive time off for the  
17 purposes of subdivision (a) shall be subject to approval of the  
18 employee's manager or supervisor and pursuant to the terms of the  
19 collective bargaining agreement, when applicable.

20 (c) The Department of Personnel Administration shall adopt  
21 regulations to implement this section. The regulations shall  
22 include, among other things, consideration of such items as the  
23 impact of the employee's absence on state services and operations  
24 and the documentation necessary for a state employee to establish  
25 that he or she has taken time off from state employment to serve

- 1 as a member of a precinct board and is therefore eligible to receive
- 2 his or her regular wages or salary as provided in subdivision (a).
- 3 The regulations required by this section shall be drafted and
- 4 adopted as soon as practicable.

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